Transportation
Land Development
Environmental
Services

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Meeting Notes

Attendees: Chris Cross, ATF Chair, RPC
Jack Newick, Dover
Bruce Woodruff, Dover
Steve Parkinson, Portsmouth
Leon Kenison, PDA
Tom Fargo, SRPC
Tim Roache, SRPC
Cliff Sinnott, RPC
Steve Stancel, Dover
Marcia Colbath, Dover Open Lands
Cody Cartnick, 53 Boston Harbor Road
Carole Cartnick, 53 Boston Harbor Road
Bill O'Donnell, FHWA
Chris Waszczuk, NHDOT
Marc Laurin, NHDOT
Mike Dugas, NHDOT
Pete Walker, VHB
Frank O'Callaghan, VHB

Date/Time: January 18, 2006

Project No.: 51425.00

Place: Dover City Hall

Re: Newington-Dover 11238
ATF Meeting #16

Notes taken by: Frank O'Callaghan

In the absence of Chris Cross, Tom Fargo called the meeting to order at 6:45 PM. He welcomed all, noting they were attending the 16th Advisory Task Force (ATF) meeting. Following self-introductions of the ATF members, Tom noted the role of the ATF as a liaison to the project team, funneling public input to the team, and disseminating project related information back to their respective constituencies. Tom then turned to Chris Waszczuk who reviewed the meeting agenda. Following review of the agenda, Chris asked for comments or edits to the draft meeting minutes of October 26, 2005. He noted a typographical error on page 5 referring to the schedule of completion for discontinuing use of the median turnaround at Exit 4N on the Spaulding Turnpike (fall 2005). There being no further comments or edits, the draft meeting minutes of October 26, 2005 were unanimously adopted as amended. Chris then asked for any other comments or ideas. He stated that, in his view, the recommended preferred alternative addresses the project purpose and need while minimizing impacts to the environment and private properties. He also noted that while a couple of individuals continue to criticize aspects of the plan despite the project team's analysis and response to comments, overwhelming consensus has been expressed in support of the recommended preferred alternative. There being no further comments or questions, Chris turned to Frank O'Callaghan to summarize the main areas of comments received at the recent (November 7 and November 9, 2005) public informational meetings.

Frank identified three main areas of comment – noise mitigation, wetland mitigation and miscellaneous comments. With respect to noise mitigation, he noted that the proposed mitigation plan enjoys broad support and NHDOT is committed to its implementation. The visual impact of sound barriers is a concern; Frank noted that design of such barriers would need to balance appearance with effectiveness. "Quiet pavement" (which the NHDOT is researching) could complement, but would not replace the need for, the sound barriers. Sound-proofing of buildings is not a viable noise mitigation measure from an FHWA-funding perspective (sound-proofing of structures is used by the FAA as it is their only effective mitigation measure for airport and airplane noise.) Frank stated that there are no sound barriers proposed to be located on the Little Bay Bridges, and noted that the schedule for construction of the sound barriers would be contingent on the final design and right-of-way acquisition process, and the sequencing of construction.

With respect to wetlands mitigation, it is clear that Dover prefers wetlands preservation whereas Newington prefers wetlands restoration coupled with preservation. Several Newington residents raised concern over the potential involuntary purchase of development rights *vis-à-vis* potential wetlands preservation alternatives. Frank noted that Pete Walker would update the attendees later in the presentation on the most recent refinements and issues related to the proposed wetlands mitigation package.

Frank next touched on a number of miscellaneous items, which were discussed at the recent public informational meetings. He noted traffic operations, design issues and pedestrian needs in the vicinity of the Spur Road/US 4 intersection; a potential sidewalk extension along Dover Point Road (which Frank would address later in the presentation); changes in local traffic circulation, specifically Dover Point and the Nimble Hill Road/Shattuck Way Extension area; whether or not there were historic resource impacts in the vicinity of Bloody Point due to the construction of the Interim Safety Improvements (extension of Shattuck Way) in Newington (there were none); construction related issues – 5-6 year schedule with sequencing to be determined, two lanes of traffic to be maintained in each direction during construction, and staging areas to be determined during final design; and the means for the public to stay informed of the project – future ATF meetings, the Public Hearing targeted for May 2006 and the project website (www.newington-dover.com). Tom Fargo asked the status of the proposed hotel development located immediately south of the ExxonMobil station on Nimble Hill Road in the vicinity of the proposed local connector road. Chris Cross responded that the development site, due to its small size and proposed layout, did not have the flexibility to accommodate the local connector road as proposed, and that direct access to the Turnpike was infeasible from a traffic operations and safety perspective. As such, he believes that the proposal for the hotel site, as proposed, is not viable and will not be advanced. Chris Waszczuk asked if there were any further comments on the public informational meetings. There being none, Chris stated that he thought the meetings went well, and while there were ancillary comments and questions relating to various aspects of the plan, he felt that there was definite consensus on the preferred alternative as recommended by NHDOT. Tom Fargo noted that NHDOT and VHB have been very responsive to issues that have been raised during the course of the study, particularly the recent pedestrian issues along Dover Point Road. Chris Waszczuk responded that with respect to the potential for extending a sidewalk along Dover Point Road (which would be discussed later in the presentation), while the NHDOT had conducted preliminary engineering studies, the NHDOT is still considering whether the sidewalk extension should be a separate project, or incorporated into the Newington-Dover project, and whether or not the NHDOT should bear the total cost of construction.

There being no further comments, Chris Waszczuk distributed correspondence from the City of Dover and Town of Newington supporting the preferred alternative. He first referred to a Dover City Council resolution that passed by a 6-3 vote on November 9, 2005 and included support for Alternative 3 with the Dover Pont connector road located adjacent to the channel, support for rehabilitation and re-use of the General Sullivan Bridge as an alternative transportation facility, and a

request for state agency coordination, funding and implementation of improvements to boating infrastructure at Hilton Park. Chris noted that NHDOT is committed to coordination with the NH Fish and Game Department, but since the project avoids impacting Hilton Park, NHDOT cannot justify the expenditure of project funds at Hilton Park. The Council also endorsed and encouraged the proposed noise mitigation adjacent to the Turnpike both south and north of Exit 6, to which Chris remarked that NHDOT is committed to the proposed noise mitigation and that discussion on the noise barrier design will continue up to and after the Public Hearing. The City Council also endorsed and encouraged the provision of a sidewalk along Dover Point Road connecting the existing sidewalk on Boston Harbor Road with the proposed sidewalk along the Dover Point connector road adjacent to Hilton Park, and along the proposed connector road between Spur Road and Boston Harbor Road. They also encouraged the NHDOT to consider the Blackwater Brook area, as previously proposed, as a site for wetland mitigation. Chris noted that Pete Walker would touch on the Blackwater Brook area later in the presentation on updating of the wetlands mitigation package.

Chris next referred to the October 18, 2005 correspondence from the Town of Newington and signed by the respective Chairs of the Board of Selectmen, Planning Board and Conservation Commission. In this correspondence the Town endorsed Alternative 13 noting that further refinements may occur. The Town noted that the increased elevation of the Turnpike (as proposed in Alternatives 10A and 12A) is the issue of greatest concern and would have a severe impact on Town residents. Alternative 13 minimizes those impacts. The Town reiterated its previous request (July 26, 2005) that the NHDOT reject plans that call for an elevated Turnpike, and looks forward to working with the NHDOT in refinement of Alternative 13. On December 21, 2005, the Town of Newington commented further by stating that the Town has no objection to an elevated rail spur connecting to the Tradeport along the existing Pease Spur rail corridor. The Town strongly supports a re-connection of the rail spur from a traffic mitigation and economic development perspective, and reiterated its willingness to work with the NHDOT in any refinement of Alternative 13. This letter was signed by the Chairs of the Board of Selectmen and Planning Board, and the Vice Chair of the Conservation Commission. Chris Waszczuk noted that elevating a future rail connection across the Turnpike was an issue for both the Town and the PDA. He stated that NHDOT is committed to cost-sharing with the PDA, if and when the rail connection materializes in the future. Chris asked if there were any comments on the correspondence of support. Leon Kenison stated that the PDA was pleased with the December 21, 2005 letter from the Town of Newington. Chris Cross, speaking as a member of the Newington Planning Board, stated that a future rail connection, as proposed, would be a benefit to all. Chris Waszczuk asked if there were any comments on the recommended preferred alternative. Tom Fargo noted that the Dover City Council has formulated a second resolution on wetland mitigation, which strongly encourages the DOT to consider the Tuttle Farm as the highest priority for the project's mitigation.

At this point, Chris asked Frank O'Callaghan to summarize the preliminary study of extending a sidewalk along Dover Point Road. Frank referred to a plan noting that the sidewalk extension would be approximately 2,700' in length running along the west side of the street between Hilton Park and the point on Dover Point Road (opposite the Division of Motor Vehicles building) where the existing sidewalk terminates. He noted that by holding the east side edge of pavement, a 4-foot shoulder and 11-foot wide travel lane could be provided in each direction with provision of a 5-foot wide sidewalk and 2-foot wide utility strip, without apparent impacts on wetlands and private properties. The preliminary construction cost estimate ranged from approximately $315,000 (if constructed as part of the Newington-Dover project), to approximately $430,000 (if constructed as a separate project). Drainage would be an issue given the floodplain elevation and existing flat topography, and the construction cost estimates reflect a pavement overlay of the roadway. Chris Waszczuk added that the initial reaction of the Front Office of NHDOT to the proposed sidewalk extension is that the cost should be shared between the State and the City. Tom Fargo asked if the wetlands depicted on the base plan of Dover Point Road reflected the latest available data. Frank responded that the wetland

areas reflect the resource mapping developed for the project study area. Tom suggested that there might be more recent data along Dover Point Road due to some recent activities. Jack Newick expressed concern for bicyclists traveling along Dover Point Road as a result of the proposed sidewalk plan. Frank replied that bicyclists would be accommodated on the 4-foot shoulders being provided in each direction. Bruce Woodruff stated that in light of the changes in local traffic patterns, which increase the traffic volume through the Dover Point Road residential area, the proposed sidewalk extension should be part of the Newington-Dover project and funded 100 percent by the project. He added that the benefit to commuters resulting from the Turnpike improvements should be balanced by addressing the added burden to the local Dover Point neighborhood resulting from the Turnpike improvements. In addition, the incremental project cost ($315K) is very small in comparison to the total estimated project construction cost of approximately $174M. Both Bruce and Tim Roache agreed that alternative funding through the Transportation Enhancement Program is highly competitive, with no guarantee of project approval. Chris Waszczuk acknowledged that while the estimated sidewalk construction cost is relatively modest, it still constitutes an additional demand on limited project funding. He reiterated that while the NHDOT was not closing the door on possible project funding, he was relaying the Department's initial thoughts *vis-à-vis* cost-sharing. In the absence of a sidewalk, pedestrians could utilize the shoulder areas. Cody Cartnick, 53 Boston Harbor Road, stated that the volume and speed of traffic along Dover Point Road would place pedestrians who walk in the shoulders at risk. Chris Waszczuk asked if the City would plow the sidewalk in winter, noting that a maintenance agreement with the City will be required assuming expenditures of federal funds on the local roadway. Bruce responded that the City would not plow the sidewalk under the current City policy.

Chris Cross asked if local funds could supplement the project's state/federal funds in the refinement of Alternative 13; more specifically, the Town of Newington may be interested in extending sidewalk along Woodbury Avenue, as shown on the Town's master plan. Chris noted that impact fees collected over time from local industries within the Woodbury Avenue corridor would be the source of the local funds. He asked if local Dover businesses could, in similar fashion, be the source of the City's local funding for extending the sidewalk along Dover Point Road. Steve Stancel replied that, unlike Woodbury Avenue, Dover Point Road is primarily residential which precludes the opportunity to cost-share with local businesses. Chris Waszczuk asked if the sidewalk extension was constructed as part of the Newington-Dover project, could the City provide the 20% ($63K) match of state/federal funding. Bruce Woodruff responded that the City would need to take that question under advisement. Chris Waszczuk concluded the discussion on the potential sidewalk extension by stating that NHDOT would keep an open mind and work with the City to resolve the issue.

Pete Walker then referred to a table and briefly summarized some of the major impacts associated with the recommended preferred alternative. He noted that refinement of the impact assessment is an on-going process and reflects the continuing refinement of preliminary engineering plans. For example, he noted that there were no impacts to threatened and endangered species, and while there were no impacts to Hilton Park, there was a slight impact to Bayview Park in Dover. While there are no impacts to petroleum and hazardous waste sites in Dover, there are five such sites in Newington. Wildlife impacts are relatively small. Pete noted that noise impacts and proposed mitigation in Dover have been discussed at length; he added that wetland impacts in Dover had increased slightly due to the incorporation of and modifications to the layout of the southbound on-ramp from the connector road (Spur Road – Boston Harbor Road) to the southbound Exit 6 on-ramp as part of Alternative 3.

Pete then presented an update of the proposed wetlands mitigation package. He noted that preservation of the Tuttle Farm in Dover as part of a public/private partnership (State, City, Strafford Rivers Conservancy) was being contemplated as a substitute for preservation of 40 to 50 acres at Blackwater Brook, and that preservation at Blackwater Brook would be an alternate element. Pete explained that the Tuttle Farm was both an agricultural and wetland resource. While the wetland

value (Varney Brook) is not as rich and extensive as the Blackwater Brook area, the City of Dover and Strafford Rivers Conservancy (SRC) are currently negotiating with the owners of the farm for the sale of development rights, and the opportunity is at hand to bundle some of the project's mitigation funds with City and SRC resources to maximize the conservation of land at the farm site. Marcia Colbath stated that City of Dover resources ($1.5M bond) would conserve approximately 60 Ac of the 125 Ac site. Chris Cross observed that substituting the Tuttle Farm for the Blackwater Brook site as the recommended mitigation required one to weigh farmland preservation versus wetlands preservation. Pete stated that the fact that agricultural lands had been lost to past transportation projects supports the value of this proposed agricultural preservation; however, he noted that Blackwater Brook is a more valuable wetlands system (than Varney Brook which borders the Tuttle Farm). The Resource Agencies will require justification for allocation of project mitigation funds and will need to reach consensus on the wetlands mitigation package. Chris Waszczuk added that USEPA and ACOE require documentation of function and value of the wetland resources impacted along the corridor, and the function and value of the wetlands proposed as mitigation.

With respect to the Tuttle Farm, Marcia responded that there is a willing owner, and a Purchase and Sale Agreement has been executed. The opportunity for conservation/mitigation is at hand for a unique resource – the Tuttle Farm is the oldest farm in New Hampshire, having been operated by 11 generations of the Tuttle family. Chris Cross noted that the farm's proximity to the study area is an advantage. Tom Fargo inquired as to the level of wetlands analysis. Pete Walker responded that a detailed field review of the farm property had been conducted on all of the farm parcels. Tom noted that there are flagged wetlands on the site, and there may be more wetlands on the site than previously depicted. Pete suggested contacting the owners to obtain the latest information. Marcia offered to follow up or request that the SRC follow up with the owner.

Chris Waszczuk stated that the City is supportive of the proposed mitigation at Tuttle Farm and has requested NHDOT to refocus on this site as the priority mitigation site in Dover. He added that he was wary of placing all the mitigation effort at this one site, and that it may be more prudent to share wetlands mitigation between the Tuttle Farm and the Blackwater Brook area. Tom Fargo estimated that 60 to 70 acres of preservation would be required to offset the wetland impacts in Dover. Marcia stated that it would be preferable to preserve the entire site (approximately 125 Ac); she noted the urgency of the situation – the additional acres could be sold tomorrow. Chris Waszczuk noted the need for consensus from the Resource Agencies prior to commitment of project funds to the farm preservation. He added that the resource agencies had reached consensus on the Blackwater Brook area; now we will be asking them to revisit that decision. Tom reiterated that if there are more wetlands on the Tuttle Farm than previously estimated, the justification to the RA's for switching priorities will be strengthened. Tim Roache offered the SRPC as a facilitator for hosting the next (February) RA meeting in Dover. Chris Waszczuk reiterated that NHDOT supports mitigation at the Tuttle Farm, but he is anxious about the risk involved in placing all the mitigation funding at one location. Bill O'Donnell suggested requesting a field walk of the Tuttle Farm with the resource agencies, and then a comparison of the sites (Tuttle Farm and Blackwater Brook). Cliff Sinnott asked if there were other potential funding sources for mitigation at the Tuttle Farm. Marcia responded that City sources were expended, and offered that there were advantages to using as few funding sources as possible. Additional funding sources typically result in additional monitoring requirements that could potentially impact the desire to keep the Tuttle property a working farm. Chris Cross asked if the City was asking, or interested in the Town of Newington waiving its mitigation funds and allocating those funds to Dover. Marcia replied, no, and Pete Walker stated that there is a need/preference to mitigate in the watershed areas of impacts. Cliff suggested that the leveraging of additional funds would allow greater mitigation and a feeling of accomplishment to be shared by more stakeholders. Marcia countered that more funding sources result in more site monitoring requirements which will burden farm operations. The City of Dover would prefer to use other funds, if available, on other potential sites. Tom Fargo noted that some organizations might aim their funds

at conserving resources with unanticipated consequences. For example, LCHIP's public access requirements can infringe on private property.

Chris Waszczuk closed the discussion by summarizing that Dover preferred to focus on the Tuttle Farm as the priority for mitigation, and that Blackwater Brook was the secondary site (if the Tuttle Farm mitigation effort is unsuccessful, or if the mitigation credit from the Tuttle Farm does not independently satisfy the requirements). Tom Fargo stated that the Dover Open Land Committee and Conservation Commission prefer the Tuttle Farm, and he assumes that NHDOT could participate in the Tuttle Farm preservation with some remaining mitigation funds for Blackwater Brook. Chris cautioned that one needed to remember that the cost of mitigation at Tuttle Farm ($/Ac) would likely be more expensive than the Blackwater Brook area, which must be factored into estimating the remaining funds for additional mitigation.

Chris Waszczuk then reminded all that March 2006 has been targeted for publication of the DEIS, with the Public Hearing targeted to follow in May/June 2006. He noted the need for a location to host the public hearing that could seat up to 150 people, had additional space for tables, boards, plans and exhibits, and could support a PowerPoint presentation. He expressed concern over Dover City Hall (Auditorium) due to daylight intrusion effects on the presentation; he also expressed a desire to hold a single public hearing. Bruce Woodruff offered that Newington Town Hall would work and be a relatively easy commute (southbound) at 6:00 PM in comparison to a northerly commute along the Turnpike at that time period. Chris Cross confirmed that Newington Town Hall could accommodate the public hearing. Mike Dugas noted that NHDOT would provide the audio system. Tom Fargo suggested that a middle school auditorium in Dover might also work, but upon further discussion, the layout of space and seating was deemed infeasible. Steve Stancel suggested a neutral location be held instead of the Town or City Halls. In answer to a question, Chris Waszczuk indicated that the hearing location would be open to the public from approximately 4:00 PM to 7:00 PM to review plans and discuss the project with the project team. The hearing itself, would run from 7:00 PM to approximately 10:00 PM. He asked if there were any further comments or questions, and if the ATF felt there was a need for another ATF meeting. The feeling was that another meeting prior to the public hearing was unnecessary.

Chris Cross stated that ATF representatives have worked very hard with the design team to craft the preferred alternative. He noted that a successful public hearing is critical to project implementation, and that it is incumbent on the ATF representatives to bring out supporters to the public hearing, and to speak up at the hearing in support of the project. He anticipates that a well-organized business owner will oppose the project and could make a lot of noise at the hearing. Jack Newick added that he concurred with Chris – the ATF needs to generate supporters at the hearing and speak up. He added that in his experience, he has seen a vocal minority derail a project because the majority of supporters elected to stay home. Chris Waszczuk added that the public hearing is a critical project milestone. The communities and regulators need to hear the actual story of project development. He stated that the ATF has been great to work with and that Chris Cross' points were well taken. Bruce Woodruff offered that the EIS process has been well done, the Dover City Council is very supportive of the project, and the ATF has well represented the City's issues and concerns.

There being no further comments, the meeting adjourned at 8:25 PM.